

1751  
28

|   |    |                        |                       |
|---|----|------------------------|-----------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |    | Application Number     | 10/009,139            |
|   |    | Filing Date            | November 8, 2001      |
|   |    | First Named Inventor   | Melrose et al.        |
|   |    | Group Art Unit         | 1751                  |
|   |    | Examiner Name          | Brian P. Mruk         |
| Total Number of Pages in This Submission  | 15 | Attorney Docket Number | 2354/140 (FF34134/01) |

| ENCLOSURES (check all that apply)  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment (with appended Abstract of the Disclosure)<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Declaration and Power of Attorney<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Application Data Sheet<br><input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures<br><input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks  |   | <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.   |

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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Edwin V. Merkel<br>Nixon Peabody LLP<br>Clinton Square, P.O. Box 31051<br>Rochester, New York 14603-1051<br>Telephone: (585) 263-1128<br>Fax: (585) 263-1600 |
| Signature                                  | <br>Registration No. 40,087  |
| Date                                       | February 2, 2004   |

| CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]  |  |
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| February 2, 2004<br>Date  | <br>Signature<br>Jane C. Wirszyła<br>Typed or printed name |

# FEE TRANSMITTAL FOR FY 2004

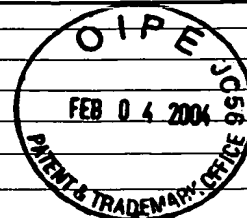
*Patent fees are subject to annual revision.*

☒ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$475)

*Complete if Known*

|                      |                       |
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| Examiner Name        | Brian P. Mruk         |
| Art Unit             | 1751                  |
| Attorney Docket No.  | 2354/140 (FF34134/01) |



## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number  
14-1138

Deposit Account Name  
Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description        | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------|
| 1001                  | 770                   | 2001                  | 385                   | Utility filing fee     |          |
| 1002                  | 340                   | 2002                  | 170                   | Design filing fee      |          |
| 1003                  | 530                   | 2003                  | 265                   | Plant filing fee       |          |
| 1004                  | 770                   | 2004                  | 385                   | Reissue filing fee     |          |
| 1005                  | 160                   | 2005                  | 80                    | Provisional filing fee |          |

**SUBTOTAL (1)** (\$ 0)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 19                 | -20** = 0 X  |                | 0        |
| Independent Claims | 1 -3** = 0 X |                | 0        |
| Multiple Dependent | X            |                | 0        |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 1202                  | 18                    | 2202                  | 9                     | Claims in excess of 20                                     |
| 1201                  | 86                    | 2201                  | 43                    | Independent claims in excess of 3                          |
| 1203                  | 290                   | 2203                  | 145                   | Multiple dependent claim, if not paid                      |
| 1204                  | 86                    | 2204                  | 43                    | ** Reissue independent claims over original patent         |
| 1205                  | 18                    | 2205                  | 9                     | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** (\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 1051                  | 130                   | 2051                  | 65                    | Surcharge - late filing fee or oath  |
| 1052                  | 50                    | 2052                  | 25                    | Surcharge - late provisional filing fee or cover sheet                     |
| 1053                  | 130                   | 2053                  | 130                   | Non-English specification  |
| 1812                  | 2,520                 | 2812                  | 2,520                 | For filing a request for <i>ex parte</i> reexamination                     |
| 1804                  | 920*                  | 2804                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |
| 1805                  | 1,840*                | 2805                  | 1,840*                | Requesting publication of SIR after Examiner action                        |
| 1251                  | 110                   | 2251                  | 55                    | Extension for reply within first month                                     |
| 1252                  | 420                   | 2252                  | 210                   | Extension for reply within second month                                    |
| 1253                  | 950                   | 2253                  | 475                   | Extension for reply within third month                                     |
| 1254                  | 1,480                 | 2254                  | 740                   | Extension for reply within fourth month                                    |
| 1255                  | 2,010                 | 2255                  | 1,005                 | Extension for reply within fifth month                                     |
| 1401                  | 330                   | 2401                  | 165                   | Notice of Appeal   |
| 1402                  | 330                   | 2402                  | 165                   | Filing a brief in support of an appeal                                     |
| 1403                  | 290                   | 2403                  | 145                   | Request for oral hearing   |
| 1451                  | 1,510                 | 2451                  | 1,510                 | Petition to institute a public use proceeding                              |
| 1452                  | 110                   | 2452                  | 55                    | Petition to revive - unavoidable   |
| 1453                  | 1,330                 | 2453                  | 665                   | Petition to revive - unintentional   |
| 1501                  | 1,330                 | 2501                  | 665                   | Utility issue fee (or reissue)   |
| 1502                  | 480                   | 2502                  | 240                   | Design issue fee   |
| 1503                  | 640                   | 2503                  | 320                   | Plant issue fee  |
| 1460                  | 130                   | 2460                  | 130                   | Petitions to the Commissioner  |
| 1807                  | 50                    | 2807                  | 50                    | Processing fee under 37 CFR 1.17(q)  |
| 1806                  | 180                   | 2806                  | 180                   | Submission of Information Disclosure Stmt                                  |
| 8021                  | 40                    | 28021                 | 40                    | Recording each patent assignment per property (times number of properties) |
| 1809                  | 770                   | 2809                  | 385                   | Filing a submission after final rejection (37 CFR 1.129(a))                |
| 1810                  | 770                   | 2810                  | 385                   | For each additional invention to be examined (37 CFR 1.129(b))             |
| 1801                  | 770                   | 2801                  | 385                   | Request for Continued Examination (RCE)                                    |
| 1802                  | 900                   | 2802                  | 900                   | Request for expedited examination of a design application                  |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 475)

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_

February 2, 2004  
Date

*Jane C. Wirszyła*  
Signature  
Jane C. Wirszyła  
Typed or printed name

## SUBMITTED BY

Name (Print/Type) Edwin V. Merkel  
Signature *Edwin V. Merkel*

Registration No. 40,087  
(Attorney/Agent)

## Complete (if applicable)

Telephone (585) 263-1128  
Date February 2, 2004

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